

**Rule-making Fact Sheet**  
(5 MRSA, § 8057-A)

**Agency:** Department of Health and Human Services, Office of Elder Services (OES)

**Name, Address, Phone Number of Agency Contact Person:**

John Baillargeon  
Office of Elder Services  
#11 State House Station (442 Civic Center Drive)  
Augusta, ME 04333-0011  
Phone: (207) 287-9200 or 1 (800) 262-2232  
TTY: (207) 287-9234 or 1 (888) 720-1925

**Chapter Number and Rule Title:** 10-149-5, Office of Elder Services Policy Manual

**Statutory Authority:** Older Americans Act of 1965, 42 USCS §3001 et. seq. as amended; 45 CFR Part 1321; 22 MRSA, ch. 1451, 1453, 1455, 1457; and P.L. 2005, ch. 412.

**Date and Place of Public Hearing:** None scheduled. This is a re-submission of rules due to a missed statutory deadline. A public hearing was already held on 11/21/05. An additional change has made in Section 10.03 (I) to restore language referencing the Independent Housing with Services Program.

**Comment Deadline:** June 12, 2006 at 5:00 p.m.

**Principal reason or purpose for proposing this rule:** The agency name was statutorily changed by P.L. 2005, ch. 412, An Act To Further the Transition to the New Department of Health and Human Services. The authorizing legislative and regulatory cites for the Office of Elder Services are clarified, corrected and updated. Additionally, the intrastate funding formula has to be amended, pursuant to federal Administration on Aging requirements, for agreements beginning 7/1/06, to better reflect the growing percentage of people aged 75 and older in Maine's population and to add consideration for the rural nature of certain areas (rurality) in Maine as a factor in order to allocate service funds granted by the Administration on Aging as fairly and accurately as possible among the state's five area agencies on aging.

**Analysis and expected operation of the rule:** For agreements beginning 7/1/06 and later, two of the area agencies will have their share of the funds from the Administration on Aging cut, one by almost 11% and the other by 5%. The remaining three will see increases ranging from .25% to 4.95%.

**Fiscal impact of the rule:** There will be no direct impact on the General Fund.

**Individuals or groups affected and benefits of the rule changes:** Staffing at the two agencies experiencing decreased funding and the number of persons they are able to serve will have to be cut. The likelihood of being able to make up the cuts in this economic climate with increased funding from municipalities or private sources is slim. Three area agencies on aging will receive increased funding to better serve increasing numbers of eligible consumers in their planning and service areas.